

EXHIBIT 3

From: Esshaki, Gene J. <g Jesshaki@abbottnicholson.com>
Sent: Wednesday, March 02, 2016 2:46 PM
To: Sperl, Andrew R.; Hemlock, Adam; Steve Williams; Munkittrick, David A.
Cc: jonc@cuneolaw.com; dbarrett@barrettlawgroup.com; BHerrington@barrettlawgroup.com; sraiter@larsonking.com; tasen@cuneolaw.com; ahart@larsonking.com; Vicky@cuneolaw.com; Parks, J. Manly; Trager, Lara; ronnie@hbsslaw.com; Fitzmaurice, David; klein@butzel.com; kpn@fmcolaw.com; timothy.fraser@myfloridalegal.com; evelyn.li@cuneolaw.com; Joseph Ashby; Shon Morgan; Richard Kruger; 'Savrin, Daniel S.'; 'Bruhn, Nathaniel Phillips'; Jessica Avery; Kingsley, Meredith Jones; Susan Peck; Kass, Colin; dfenske@jenner.com; Ciolino Dawn L.; Abeles, Scott M.; Ciolino Dawn L.
Subject: RE: OEM Motion to Compel

Dear All;

I want to address with you the procedures I will be following with respect to the currently pending Motion to Compel addressed to the OEMs and others.

As I indicated in my last email, Judge Battani has requested that as to all future motions, I initially conduct a mediation to attempt to resolve disputed issues, followed by a formal Motion hearing with her Court Reporter in attendance to create a record for her possible future reference.

As to the Motion to Compel, I have extended the Reply deadline until March 11th. At that time, the motion will be at issue. I intend to conduct a mediation session running from 9:30 AM until 12:30 PM in Judge Battani's Courtroom, followed by Motion Hearings from 1:30 PM until we conclude, hopefully by 4:30 PM.

I have arranged for the courtroom to be available to us on either 3-23,24 or 25. Dawn is contacting the court reporter to determine if he is available on those dates. If he is, I will select one and advise all.

I am not going to deny the Motion based upon the alleged failure to meet and confer. I understand the importance of this Rule, but in practice it only serves to kick the can down the road. We will consider the mediation session as out meet and confer under the Local Rule.

Please confer among yourselves and let me know if you have any preference as to the three dates. I will try to accommodate your choice, assuming it fits with the Reporter.

Finally, I must again ask that you come prepared to address how my billings will be handled on this Motion. As you know, I already have a file drawer full of materials and the replies will only expand that. Mr. Williams has indicated he will accept responsibility for the plaintiffs on this. I need to know who will be accepting on behalf of the opposing parties.

If you have any questions, please let me know with copies to all concerned. Can someone also confirm that I have included all counsel in the address bar above? Thanks,

Gene J. Esshaki



Abbott, Nicholson, Quilter, Esshaki & Youngblood, P.C.

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From: Sperl, Andrew R. [mailto:ARSperl@duanemorris.com]

Sent: Tuesday, March 01, 2016 4:19 PM

To: Esshaki, Gene J.; Hemlock, Adam; Steve Williams; Munkittrick, David A.

Cc: jonc@cuneolaw.com; dbarrett@barrettlawgroup.com; BHerrington@barrettlawgroup.com; sraiter@larsonking.com; tasen@cuneolaw.com; ahart@larsonking.com; Vicky@cuneolaw.com; Parks, J. Manly; Trager, Lara; ronnie@hbsslaw.com; Fitzmaurice, David; klein@butzel.com; kpn@fmcclaw.com; timothy.fraser@myfloridalegal.com; evelyn.li@cuneolaw.com; Joseph Ashby; Shon Morgan; Richard Kruger; 'Savrin, Daniel S.'; 'Bruhn, Nathaniel Phillips'; Jessica Avery; Kingsley, Meredith Jones; Susan Peck; Kass, Colin; dfenske@jenner.com; Ciolino Dawn L.; Abeles, Scott M.

Subject: RE: OEM Motion to Compel

Dear Special Master Esshaki,

Could you confirm that the March 11 deadline applies to replies filed by any of the serving parties, including plaintiffs?

Thank you.

Andrew Sperl

Counsel for Truck and Equipment Dealers



From: Esshaki, Gene J. [<mailto:gjesshaki@abbottnicholson.com>]
Sent: Tuesday, March 01, 2016 11:45 AM
To: Hemlock, Adam; Steve Williams; Munkittrick, David A.
Cc: jonc@cuneolaw.com; d Barrett@barrettlawgroup.com; BHerrington@barrettlawgroup.com; sraiter@larsonking.com; tasen@cuneolaw.com; ahart@larsonking.com; Vicky@cuneolaw.com; Parks, J. Manly; Sperl, Andrew R.; Trager, Lara; ronnie@hbslaw.com; Fitzmaurice, David; klein@butzel.com; kpn@fmc law.com; timothy.fraser@myfloridalegal.com; evelyn.li@cuneolaw.com; Joseph Ashby; Shon Morgan; Richard Kruger; 'Savrin, Daniel S.'; 'Bruhn, Nathaniel Phillips'; Jessica Avery; Kingsley, Meredith Jones; Susan Peck; Kass, Colin; dfenske@jenner.com; Ciolino Dawn L.; Abeles, Scott M.
Subject: RE: OEM Motion to Compel

You may file on March 11. Thank you and all other counsel for the cooperation.

Gene J. Esshaki

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-----Original Message-----

From: Hemlock, Adam [<mailto:adam.hemlock@weil.com>]

Sent: Tuesday, March 01, 2016 11:29 AM

To: Esshaki, Gene J.; Steve Williams; Munkittrick, David A.

Cc: jonc@cuneolaw.com; dbarrett@barrettlawgroup.com; BHerrington@barrettlawgroup.com; sraiter@larsonking.com; tasen@cuneolaw.com; ahart@larsonking.com; Vicky@cuneolaw.com; JMParks@duanemorris.com; ARSperl@duanemorris.com; Trager, Lara; ronnie@hbsslaw.com; Fitzmaurice, David; klein@butzel.com; kpn@fmcolaw.com; timothy.fraser@myfloridalegal.com; evelyn.li@cuneolaw.com; Joseph Ashby; Shon Morgan; Richard Kruger; 'Savrin, Daniel S.'; 'Bruhn, Nathaniel Phillips'; Jessica Avery; Kingsley, Meredith Jones; Susan Peck; Kass, Colin; dfenske@jenner.com; Ciolino Dawn L.; Abeles, Scott M.
Subject: OEM Motion to Compel

Dear Special Master Esshaki,

I am writing on behalf of Defendants in the Auto Parts cases to seek a one week extension, to Friday, March 11th, to file their reply brief on the Parties' Motion to Compel Discovery from Non-Party Original Equipment Manufacturers (the "Motion"). Defendants have conferred with counsel for the SSEs and have obtained their concurrence in this request. In response to the Parties' single Motion filed on January 19th, on February 19th the non-party SSEs filed 5 separate opposition briefs totaling 79 pages. In addition, numerous declarations and other exhibits were filed in connection with these briefs, including 76 exhibits filed in connection with the SSEs' joint opposition brief. By way of background, the Parties had previously agreed to the SSEs' request for a February 19th opposition deadline, constituting 10 additional days for the SSEs' opposition beyond what is provided under the rules, and requested no corresponding extension of the schedule for their reply at that time. Due to the complicated nature of the SSEs' filings, the Parties intend to file separate replies. While Defendants seek this extension with respect to their reply to the motion, Defendants have conferred with the other Parties, and the other Parties do not object to having all replies be on the proposed new schedule.

In light of the foregoing, and in consideration of the importance of the instant discovery dispute, Defendants respectfully seek from Your Honor a one week extension (from March 4th to March 11th) to file their reply.

We appreciate your consideration in this regard.

Adam Hemlock

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